

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

TARALE DUNCAN,

Plaintiff,

Case No. 1:05cv292

v.

Hon. Robert J. Jonker

KENNETH MCKEE,

Defendants.

---

**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on February 26, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed February 26, 2008, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that the habeas petition is **DENIED**.

/s/Robert J. Jonker

ROBERT J. JONKER

UNITED STATES DISTRICT JUDGE

Dated: April 16, 2008